



ATTORNEY'S DOCKET NO: 10990318-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David E. Richardson  
Serial No: 09/923,045  
Filed: August 6, 2001  
For: A METHOD AND STRUCTURE FOR DYNAMICALLY DRILLING-DOWN THROUGH A HEALTH MONITORING MAP TO DETERMINE THE HEALTH STATUS AND CAUSE OF HEALTH PROBLEMS ASSOCIATED WITH NETWORK OBJECTS OF A MANAGED NETWORK ENVIRONMENT

Prior Application:  
Examiner: Nguyen, T.  
Art Unit: 2173

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OFFICE OF PETITIONS

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the \_\_\_\_\_ day of October, 2001.

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01 FC:122

130.00 CH

**REPLY TO NOTICE TO FILE CORRECTED APPLICATION PAPERS WITH  
PETITION UNDER 37 CFR §1.53(e)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The captioned application has been accorded the Application Number and Filing Date noted above. However, a Notice To File Corrected Application Papers was mailed on August 27, 2001 indicating the application was deemed to be informal because (1) there were items omitted from the application; and (2) the application included informalities that prevented it from fully complying with current regulations.

**(1) Omitted Items**

The Office of Initial Patent Examination (OIPE) indicated that the application papers omitted one of the figures described in the specification. Applicant respectfully

Adjustment date: 01/04/2002 AKELLEY  
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disagrees and contends that the omitted items were deposited with the USPTO on August 6, 2001 as part of the papers filed that day in connection with the captioned application.

In accordance with 37 CFR §1.53(e)(2), Applicant hereby petitions to have the apparently missing figure entered into the record of this application and to have the application officially assigned the filing date of August 6, 2001. The requisite fee under 37 CFR §1.17(h) is hereby authorized to be charged to Deposit Account No. 08/2025.

Attachment 1 of this paper is a copy of the Notice. As shown therein, a single item, Figure 13, appears to have been misplaced, overlooked or otherwise separated from the application papers filed on August 6, 2001.

Attachment 2 is a copy of the confirmation postcard filed with the application. The postcard indicates that included in the items deposited with the USPTO were 10 sheets of informal drawings including Figures 1A-13. The postcard was date-stamped by the USPTO mail room indicating a filing date of August 6, 2001.

Attachment 3 is a copy of missing Figure 13. Applicant requests that this informal figure be entered into the record of this application.

Applicant respectfully submits that the above and attached information sufficiently shows that there were no items omitted from the application papers filed on August 6, 2001. Accordingly, Applicant submits that the captioned application number and filing date be officially assigned to the captioned application, and that the petition fee not be charged or, if charged, refunded, to Deposit Account 08/2025.

## **(2) Informalities**

With regard to the informalities, the Notice indicated that the informal drawings did not have the appropriate margins. Attachment 4 to this paper is a Letter to the Official Draftsperson with a complete set of formal drawings satisfying 37 CFR §1.84 to replace the informal drawings filed on August 6, 2001.

**(3) Attachments**

The following documents, referenced above, are provided as attachments to this paper:

Attachment 1: Notice To File Corrected Application Papers (copy)

Attachment 2: Confirmation Postcard (2 page copy)

Attachment 3: Figure 13 as originally filed (copy of informal drawing)

Attachment 4: Letter to Draftsperson and Formal Drawings

**(4) Additional Fees**

It is not believed that extension for time or fees for net addition of claims are required, beyond those that may otherwise be provided for in a document accompanying this paper. However, if additional extensions of time are necessary to allow consideration of this paper, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefore, including fees for net addition of claims, are hereby authorized to be charged to Deposit Account No. 08/2025.

Respectfully submitted,

David E. Richardson

By: 

Michael G. Verga  
Registration No. 39,410  
Tel. (617) 244-0490

Docket No. 10990318-2

Dated: September 27, 2001

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

**REQUEST FOR PATENT FEE REFUND**

1 Date of Request: 1/25-01

2 Serial/Patent # 691903, 045

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